

In the Office Action, the Examiner rejected claims 1-15 under 35 U.S.C. § 102(b) as being anticipated by Stokes, U.S. Patent No. 4,870,515. To anticipate a claim, the reference must teach every element of the claim. M.P.E.P. § 2131.01 (8<sup>th</sup> ed. 2001, revised February 2003). Because Stokes does not disclose all of the elements recited in claims 1-15, Applicants request the reconsideration and withdrawal of the section 102(b) rejections.

**Claims 1-7 and 11-15**

For example, claim 1 recites a music piece data managing apparatus comprising, among other things, (1) a storage part for storing music piece data and management data associated therewith, and (2) a data transfer part for transferring reproducing order data to another storage part outside the data managing apparatus. Stokes at least fails to teach the claimed (2) data transfer part. Instead, Stokes discloses transferring music data, such as a song, its title, and its address, from a recording apparatus onto a tape cassette. (Stokes, col. 2, ll. 3-25; col. 5, ll. 34-47.) To play the music, in Stokes, the stored data is transferred into the memory of a playback apparatus that includes keys for selecting a desired order for playback, and then, once a user selects the playback order on the playback apparatus, the playback apparatus advances the recording medium to play the songs in the selected order. (Id., col. 2, ll. 25-38; col. 8, ll. 15-30.) Nothing in the Stokes reference teaches (2) a data transfer part for transferring reproducing order data to another storage part outside the music piece data managing apparatus. Furthermore, because the playback order in Stokes is input directly into the playback apparatus, there would be no need to transfer reproducing order data to

another storage part outside said music piece data managing apparatus. Therefore, Stokes does not teach every element of claim 1 and the claims that depend therefrom, and Applicants request the reconsideration and withdrawal of the section 102 rejections of claims 1-7 and 11-15.

**Claims 8-10**

Furthermore, claim 8 recites an in-vehicle audio information reproducing apparatus including, among other things, a transfer data reading part for reading reproducing order data transferred by a data transfer media. Stokes at least fails to teach the claimed reading part for reading reproducing order data. As discussed above, the playback apparatus of Stokes includes keys for selecting a desired order for playback. In Stokes, once a user selects the playback order on the playback apparatus, the playback apparatus advances the cassette tape to play the songs in the selected order. Nothing in the Stokes reference teaches reading reproducing order data that has been transferred by a data transfer media. Because the playback order in Stokes is input directly into the playback apparatus, there would be no need to read reproducing order data that has been transferred by a data transfer media. Thus, Stokes fails to disclose every element of claim 8 and the claims that depend therefrom, and Applicants request the reconsideration and withdrawal of the section 102 rejections of claims 8-10.

**Claims 2, 4-6, and 11**

Additionally, Stokes at least fails to teach a reproducing order generating part that rearranges management data in accordance with a reproducing order of the music pieces and allocates edition numbers representing the order of reproduction, as recited

in claim 2. As Figure 5 of the application shows, reproducing order data is formed "by a method whereby the attribute data showing the music piece names, artist names, an music piece genres including in the management data and the memory addresses on the hard disk are rearranged...and edition numbers showing the order of reproduction of the music piece data are added." (Specification, p. 12, l. 21 - p. 13, l. 1; Fig. 5.)

Stokes does not disclose rearranging management data in accordance with a reproducing order and adding edition numbers representing the order of reproduction. Instead, Stokes teaches a device that displays song title, artist, and address information. (Stokes, col. 10, ll. 51-54; col. 2, ll. 25-29; Fig. 15.) The user in Stokes may then input a sequence for playing the songs using buttons on the device. (Id., col. 8, ll. 15-27; col. 2, ll. 30-34.) In Stokes, the device then advances a tape to play the songs in the selected order. (Id., col. 7, ll. 32-29; col. 2, ll. 25-38). Nothing in the Stokes reference teaches that the displayed information is rearranged or that edition numbers are added to form the reproducing order data. Thus, Stokes does not disclose a reproducing order generating part that rearranges management data in accordance with a reproducing order of the music pieces and allocates edition numbers representing the order of reproduction, as recited in claim 2 and the claims that depend therefrom.

### **Conclusion**

Because Stokes fails to disclose each and every element of claims 1-15, Applicants respectfully request reconsideration of this application, withdrawal of the claim rejections, and the timely allowance of the pending claims.